

**FILED**  
MAR 15 2012  
U.S. DISTRICT COURT  
CLARKSBURG, WV 26301

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Criminal No. 1:12 MJ 34**

**EDWARD MONTECALVO,**

**Defendant.**

**MOTION FOR DETENTION HEARING**

The United States moves for pretrial detention of defendant pursuant to 18 U.S.C. 3142(e) and (f).

1. **Eligibility of Case.** This case is eligible for a detention order because case involves  
(check all that apply):

<input type="checkbox"/>	Crime of Violence (18 USC § 3156)
<input type="checkbox"/>	Maximum Sentence Life Imprisonment or Death
<input type="checkbox"/>	10 + Year Drug Offense
<input type="checkbox"/>	Felony, with Two Prior Convictions in Above Categories
<input type="checkbox"/>	Felony Not Otherwise a Crime of Violence, involving Possession of a Firearm, Destructive Device or Other Dangerous Weapon
<input checked="" type="checkbox"/>	Serious Risk Defendant Will Flee
<input checked="" type="checkbox"/>	Serious Risk Obstruction of Justice

2. **Reason for Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

X	Defendant's Appearance is Required
X	Safety of Any Other Person and the Community

3. **Rebuttable Presumption.** The United States will invoke the rebuttable presumption against defendant under Section 3142(e). The presumption applies because:

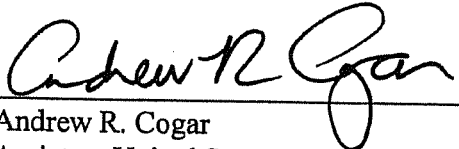
	Probable Cause to Believe Defendant Committed 10 + Year Drug Offense or Firearms Offense (18 USC § 924(c))
	Previous Conviction for "Eligible" Offense Committed While on Pretrial Bond

4. **Time for Detention Hearing.** The United States requests the court conduct the detention hearing

	At First Appearance
X	After Continuance of 3 days (not more than 3)

5. **Other Matters:** \_\_\_\_\_

WILLIAM J. IHLENFELD, II  
UNITED STATES ATTORNEY

  
\_\_\_\_\_  
Andrew R. Cogar  
Assistant United States Attorney  
320 W. Pike Street, Ste. 300  
Clarksburg, WV 26301  
(304) 623-7030  
(304) 623-7031 (fax)  
andy.cogar@usdoj.gov